

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

Case No. 4:12 CR 341 CDP

ASHLEY JARROD SATCHELL, )

Defendant. )

**ORDER**

This matter is before the Court on defendant Ashley Jarrod Satchell's motion to suppress evidence and statements. Pursuant to 28 U.S.C. § 636(b), the motions were referred to United States Magistrate Judge Thomas C. Mummert. Judge Mummert held an evidentiary hearing and thereafter recommended that the motion be denied. Defendant has objected to the recommendation.

I have conducted *de novo* review of the motion, including listening to the recording of the evidentiary hearing, reviewing the exhibits, and considering all the legal arguments. I will overrule the objections and will adopt the Report and Recommendations as my own findings and conclusions regarding these motions.


Defendant objects that the Magistrate Judge's report omits certain facts, such as the fact that the police did not have an arrest warrant when they first went to the home, or that they had no information before the search that defendant's girlfriend was

engaged in criminal activity. Although I have considered all of these objections, none of them raise issues that are material to the issue before the court. The Magistrate Judge is not required to list every fact in his report. He properly found all facts that were material, and made credibility determinations where necessary. As I said, I have listened to the recording, and I agree that his findings, including credibility findings, and his legal conclusions are correct.

The evidence showed that defendant's girlfriend consented to the search of the house and of the safe, and the consent was voluntarily given. Defendant's statements were made after he was advised of his *Miranda* rights, and they were voluntary. Additionally, a valid search warrant, supported by probable cause, was obtained before the search of the cell phone. I will deny the motions in their entirety. Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation and Memorandum of the United States Magistrate Judge [#35, 36] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

**IT IS FURTHER ORDERED** that defendant's motion to suppress evidence and statements [#27] is denied.

  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 14th day of February, 2013.